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**In the United States Patent and Trademark Office**
**Board of Patent Appeals and Interferences**

In re Application of:
James R. Milch, et al

A Method For Reducing The Power Used By Emissive Display Devices

Serial No. 10/003,840

Filed November 1, 2001

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Group Art Unit: 2676
Examiner: Po Wei Chen

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Valerie J. Richardson

Valerie J. Richardson

August 23, 2004

Date



Sir:

**APPELLANT'S REPLY BRIEF PURSUANT TO 37 C.F.R. 1.193**

Applicants submit the following arguments directed towards new points of argument raised in the Examiner's Answer mailed June 21, 2004.

**Reply Brief Arguments**

In paragraph (22) of the Examiner's Answer, the Examiner for the first time argues that the recitation of "reducing the power used by a display device" found in claim 1 has not been given patentable weight because the recitation occurs in the preamble, and that a preamble is not accorded any patentable weight here it merely recites the purpose of a process of the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps are able to stand alone. It is respectfully urged that such phrase in the instant application is so intimately tied to the remainder of the claim steps, that it must be considered in construing patentability of the claim. Note that the preamble of claim 1 is specifies that such claim is directed towards a "method for reducing the power used by a display device having light emitting pixels". Such preamble language is specifically tied to the subsequently described process steps, as step (b)

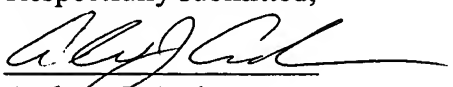
requires modifying tags and/or parameters associated with tags of formatted information "to reduce the number and/or intensity of bright pixels" in a display of the formatted information to produce modified formatted information. It is this reduction in the number and/or intensity of bright pixels in a display of information which is performed to obtain the reduced power usage referred to in the claim pramble.

The Examiner further now argues that Helman teaches the foreground color is modified such that the difference between the foreground luminance Yf and backgound luminance Yb is increased by the same scaling factor used to reduce the chrominance (lines 51-58 of column 4 and lines 15-25 of column 5); the scaling of luminance/chrominance affects the power consumption levels of display; and that by reducing the luminance/chrominance, the intensity of bright pixels must be reduced, and that this results in a reduction power to be achieved. Note, however, that while forground and background luminances and chrominances may be increased or decreased, there is no teaching by Helman to necessarily reduce both background and forground luminance and chrominance to achieve a power reduction. Thus, there is no teaching to achieve a reduction in power usage in a display device by reducing the number and/or intensity of bright pixels.

The Examiner further argues that by minimizing display artifacts in the manner suggested by Helman, noise produced by the display will be reduced and power used by the display will thus also be reduced. Such argument is not supported. To the contrary, modifications made to background and foregrounds to minimize display artifacts may result in an overall increase in use of relatively bright pixels in order to preserve the relative visual contrast between foreground and background.

In summary, the cited prior art, singly or in combination, contains no teaching or disclosure with respect to saving power by modifying the tags and/or the parameters associated with the tags of markup language formatted information to reduce the number and/or intensity of bright pixels in a display of the formatted information as required by the present invention.

Respectfully submitted,



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